

Applicant: Giancarlo Tonino  
Appl. No.: 10/532,880

## **REMARKS**

The Applicant thanks the Examiner for the careful consideration of this application.

Claims 18-29 are currently pending. Claims 1-17 have been cancelled, without prejudice. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

### Rejections under 35 U.S.C. § 112

The Office Action rejected claims 1-11 and 17 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Applicant traverses this rejection. Nevertheless, solely to further prosecution, claims 1-11 and 17 have been cancelled, and replaced with new claims 18-29, which have been rewritten in conformance with U.S. patent practice. Accordingly, the Applicant submits that this rejection is now moot.

### Rejections under 35 U.S.C. § 103

The Office Action rejected claims 1, 8-11, and 17 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 4,802,218 to Wright et al. (“Wright”). The Office Action further rejected claims 2-7 under 35 U.S.C. §103(a) as being obvious over Wright in view of U.S. Patent Application Publication No. 2003/0097336 to Cordery (“Cordery”). As stated above, claims 1, 8-11, and 17 have been cancelled and replaced with new claims 18-29, with claims 18 and 28 being the independent claims. As claims 18 and 28 contain some of the subject matter from

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previous claim 2, the patentability of independent claims 18 and 28 will be discussed in connection with the asserted combination of Wright and Cordery.

No reasonable combination of Wright and Cordery discloses or renders obvious “an initialization program . . . adapted to: sign the fingerprint of the given local terminal with the secret key of the given smart card to generate a signed fingerprint,” as recited by claim 18. Further, no reasonable combination of Wright and Cordery discloses the similar method step of claim 28.

The Office Action acknowledges on page 9, third full paragraph, that Wright fails to disclose the aforementioned claim element. Instead, the Office Action asserts that Cordery discloses this claim element in paragraph 13. The Applicant respectfully disagrees.

The Office Action apparently equates Cordery’s meter ID with the claimed “fingerprint,” and apparently equates Cordery’s new postage evidence key with the claimed “secret key.” However, Cordery’s new postage evidence key is *not* “on the given smart card,” as claimed. Rather, both the meter ID and the new postage evidence key are generated on the postage meter 3 itself. (See Cordery at ¶ 0013, 1<sup>st</sup> sentence.) Furthermore, it would not have been obvious to use Cordery’s postage meter 3 to sign the secret key on Wright’s microprocessor cards, for at least the reason that Cordery is unrelated to initializing smart cards on a terminal.

In view of the foregoing, no reasonable combination of Wright and Cordery discloses or renders obvious “an initialization program . . . adapted to: sign the fingerprint of the given local terminal with the secret key of the given smart card to generate a signed fingerprint,” as recited by claim 18, nor the similar method step of claim 28.

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Claims 19-29 depend variously from claims 18 and 28, and are patentable for at least the same reasons.

**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Date: July 27, 2009

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